

Hon. Christopher M Alston
Hearing: November 22, 2019, 9:30 am

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON

In re:
SAMIA EL-MOSLIMANY
Debtor

Case No. 18-14820-CMA
Chapter 7

**SECOND SUPPLEMENTAL
DECLARATION OF SAMIA EL-
MOSLIMANY**

Samia El-Moslimany hereby declares under penalty of perjury as follows:

1. I am the debtor in this case, and make this declaration on my personal knowledge. I make this declaration in support of my motion to compel abandonment of my residence (Docket #81), and my motion to avoid the judgment lien of Hayat Sindi (Docket #80).

2. One of the issues before the Court in connection with these motions is whether the deed of trust on my residence in favor of Aziza Alyousef ("Aziza") secures an actual debt, or is just a sham transaction. Despite sworn declarations from both myself and Aziza testifying that she really did loan me these funds, the trustee and Ms Sindi continue to argue that the debt is a sham. The trustee has filed an adversary proceeding against Aziza (Adv. Proc. #19-01116-CMA, filed September 12, 2019). To my knowledge Aziza has not been served with the complaint.

3. Since the date of my earlier declaration (Docket #80-4 and #81-4, filed on August 3, 2019), I have been in Saudi Arabia dealing with legal and business matters

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SECOND SUPPLEMENTAL DECLARATION - 1

1 there. I have had the opportunity to obtain and assemble additional bank records of the
2 loan transactions between myself and Aziza. I have created a spreadsheet tracking each
3 transfer of funds from Aziza to me (Exhibit A). I have also assembled the bank records
4 and transfer documents that reflect these transfers (Exhibit B). Each transfer is given a
5 reference number. The bank statements and transfer documents themselves are
6 annotated with the reference numbers, so that the Court can see the evidence for each
7 transfer. The spreadsheet shows the date of each transfer¹, the account from which the
8 funds came, the account to which the funds were transferred², and the method of
9 transfer.

10 4. Although many of the supporting documents are in Arabic, I can assure the
11 Court that the documents support the entries in the spreadsheet.

12 5. These transfers are the advances that are reflected in the two promissory notes
13 that have previously been submitted to the Court, as well as additional advances that are
14 secured by the deed of trust under the future advances clause. I hope that by submitting
15 this spreadsheet and the related documents, I can put to rest any lingering doubts that
16 the loan transactions between myself and Aziza Alyousef are real, and that she does in
17 fact have a valid secured lien on my residence.

18 6. This case has been pending for almost eleven months. Washington Federal
19 Bank has a motion for relief from stay pending. I am not currently making mortgage
20 payments, since doing so would simply create equity for the trustee, to the detriment of
21 myself and my family. (I do not believe there is any equity in the property for

22
23 ¹ In some cases, a transfer took several days, so the beginning and ending dates
24 may not be the same.

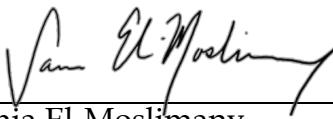
25 ² In some cases, as Aziza and I have previously testified, the funds were given to
26 me in cash.

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SECOND SUPPLEMENTAL DECLARATION - 2

1 unsecured creditors in any event.) My plan is to cure the mortgage arrears once the
2 property is abandoned. I feel this matter must be resolved promptly.

3 Dated: November 14, 2019

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6 _____
7 Samia El-Moslimany

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SECOND SUPPLEMENTAL DECLARATION - 3